

DELEGATED DECISIONS BY CABINET MEMBER FOR TRANSPORT

DECISIONS taken at the meeting held on Thursday, 22 March 2012 commencing at 10.00 am and finishing at 12.45 pm.

Present:

Voting Members: Councillor Rodney Rose – in the Chair

Other Members in Attendance: Councillor David Turner (for Agenda Items 4, 5, 6 and 10E)

By Invitation: Councillor John Tanner (Agenda Item 5)

Officers:

Whole of meeting G. Warrington (Law & Governance); Steve Howell (Deputy Director of Environment & Economy - Highways & Transport)

Part of meeting

Agenda Item

Officer Attending

4 and 5	D. Tole and C. Rossington (Environment & Economy)
6	D. Taylor (Environment & Economy)
7	V. Butterworth and M. Kraftl (Environment & Economy)
8	H. Potter (Environment & Economy)
10E	A. Field and J. Wood (Environment & Economy)

The Cabinet Member for Transport considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and the following additional documents: Supplementary Annexes to Item 10E and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports, schedule and additional documents, copies of which are attached to the signed Minutes other than those exempt papers relating to Item 10E.

10/12 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda No. 2)

Question from Councillor John Sanders

“I am concerned that the Council seems determined to ignore the wishes of residents of the area designated “Magdalen Road South”. Isn’t it true that the purpose of the

various “consultations” has been to tick the box of a legal requirement to consult rather than to determine whether the proposed restrictions are wanted?”

Reply from the Cabinet Member for Transport

“Cllr Sanders is presuming what my decision will be, and that it will not align with views of local residents. I cannot comment on either aspect in advance of the decision to be taken during the meeting. Whatever the decision I am pleased that developer funding has at least allowed us to re-visit this scheme, following the budget cuts necessitated by the last National Government. “

Supplementary

“May I take this opportunity to congratulate the Head of Transport on his years of service and my regret at his leaving.

With regard to Magdalen Road South why is the Cabinet Member for Transport showing scant regard for democracy and paying lip service to the democratic process and why has he refused to attend local meetings and prevented officers from doing so and appears to be going against a 78% level of opposition.”

Reply

“I would endorse your comments to the head of Transport. I did not attend local meetings as I considered them to be mainly an opportunity for grandstanding by local politicians and by avoiding that situation I felt able to consider the proposals dispassionately. County officers were constantly available to respond to local issues and concerns and offer advice.”

11/12 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

Speaker	Item
Paul Pemberton)	
Councillor David Turner (Shadow)	4 – Divinity Road CPZ
Cabinet))	
Liz Fisher)	
Craig Simmons)	
Dominic Woodfield)	
Nick Allen)	
David Maw)	
Sylvia Barker)	
Dennis Pratley)	5 - Magdalen Road North and South
Monika Jaenicke)	CPZ
David Barton)	
Samantha Goethels)	
City Councillor David Williams)	
Councillor John Tanner)	
)	

Roger Buswell)
Robert Surman)
Richard Surman)6 - Garsington Lower Farm Bus Stop
Councillor David Turner (Local)
Member))

Councillor Roy Darke)
Professor Whelan)
Michael Haines) 7 - Fairfax Avenue/Purcell Road
Geraint Jones)Pedestrian/Cycle Link
Peter Haarer)

Roy McMillan)
David Cooper) 10E Bus Service Subsidies
Councillor David Turner (Local)
Member))

Mr McMillan and Mr Cooper then made their representations for Item 10E.

Mr McMillan spoke on behalf of South Stoke Parish Council in respect of the 134/135 Wallingford Goring service. The service to South Stoke was very poor and as the current review was likely to end in further service reductions the Parish Council would welcome the opportunity to set up a community minibus scheme.

Mr Cooper spoke on behalf of Ewelme Parish Council and thanked the Cabinet Member for coming to see the route. He appealed on behalf of the elderly and mobility impaired residents of Ewelme some of whom now faced a one mile uphill walk to access transport services and asked if consideration could be given to rerouting the 132 through Ewelme to Hampden Way as an optimum route for the village.

12/12 OXFORD DIVINITY ROAD CONTROLLED PARKING ZONE

(Agenda No. 4)

The Cabinet Member for Transport considered responses received to a formal consultation on a draft traffic regulation order for the proposed controlled parking zone for the Divinity Road area.

Mr Pemberton, a resident of Aston Street, advised that this area of East Oxford formed one community and that at the very least a decision should be taken on all three parking zones at the same time and not in isolation of each other. If implemented all three zones would affect residents and have some impact on their lives, carve up the community and fly in the face of local opinion. The proposals would affect local businesses, those living in shared accommodation and upset the unique balance of the area.

Councillor David Turner commented on Items 4 and 5. All three schemes would impact on local communities and businesses with a knock on effect from one area to another and whatever was decided it was clear that there would never be enough space for parking. He welcomed proposals for further local consultation on

amendments to the scheme and suggested a review of the net effect of the proposals after 12 months.

The Cabinet Member asked officers if funding could be available for such a review.

Mr Tole advised that a review would involve consulting all permit holders when permits were renewed annually. However, problems could arise if funding was then required for significant changes to a scheme.

Mr Howell suggested that County members within the City could agree to fund a review through the localities budget but warned that a full and thorough CPZ review would be expensive. Officers, however, had a good idea of what the impact would be. Public opinion on the merits of the proposals varied but only a small percentage of those that had been consulted had replied and if the proposals proved to be unsuccessful then no doubt there would be some pressure for change.

Having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above the Cabinet Member for Transport confirmed his decision as follows:

- (a) to authorise the making of the Oxfordshire County Council (Oxford Divinity Road area) (Controlled Parking Zone and Waiting Restrictions) Order 20**;
- (b) to authorise the making of the consequential TROs being the Oxfordshire County Council (East Oxford) (Controlled Parking Zone Waiting Restrictions and Traffic Management) (Variation No 6*) Order 20**, the Oxfordshire County Council (Various Streets East Oxford) (Traffic Regulation) (Variation No.9*) Order 20**, the Oxfordshire County Council (Headington West) (Controlled Parking Zone) (Variation No. 12*) Order 20**, and the Oxfordshire County Council (Cowley Road, Oxford) (Traffic Regulation) (Variation No. 1*) Order 20**
- (c) to authorise officers to reconsult locally on amendments to the scheme, as set out in Annex 6 to the report CMDT4; and
- (d) to authorise the Deputy Director for Environment & Economy (Highways & Transport) in consultation with the Cabinet Member for Transport to carry out further minor amendments to the scheme and the Traffic Regulation Order that might be required when implementing the proposed parking zone.

13/12 OXFORD, MAGDALEN ROAD (NORTH) AND MAGDALEN ROAD (SOUTH) AREAS CONTROLLED PARKING ZONES

(Agenda No. 5)

The Cabinet Member for Transport considered (CMDT5) responses to a formal consultation on draft traffic regulation orders for proposed controlled parking zones for the Magdalen Road (North) and Magdalen Road (South) areas.

Liz Fisher speaking on behalf of St Mary's Road residents association referred to a legal requirement placing a duty on the highway authority to ensure safe movement

of traffic. This was not happening and the area was gridlocked. There had been thorough consultation over 5 years and paragraph 19 of the officer report set out an extremely strong case for the North area with 73% of respondents in support and it would be irrational not to introduce the proposals for the North area especially now that a decision had been taken to introduce proposals for the Divinity Road area.

Craig Simmons advised that he had chaired 3 meetings on these proposals with a good cross section of views expressed and the responses reflected accurately the views of the people supporting introduction in Divinity Road and Magdalen Road North but not Magdalen Road South.

Dominic Woodfield considered the proposals should be rejected. Despite a considerable lapse of time since they were first mooted there was still a huge body of objection. The scheme had been mis-sold to residents regarding minimum carriageway widths and measurements quoted in the report were wrong. Significant material changes which were required left the proposals open to legal challenge.

Nick Allen opposed the proposals. He considered the proposals had been badly researched and that the County Council could have come up with something more innovative, such as utilising existing resources such as alternative parking areas. The East Oxford area was a vibrant community and these proposals would only serve to stifle the local economy. He was also unaware of any work having been undertaken to estimate costs of implementation or likely revenue.

David Maw, a resident of Silver Street was not a car owner but still had concerns regarding the effect of the proposals. Suggesting that cars should park on pavements with limits placed on the number of permits for visitors would reduce the quality of life for many residents. Revised proposals should be developed which complemented the area.

Sylvia Barker a resident of Percy Street referred to a similar level of opposition to a development some 30 years previously which had seen the same level of community spirit that was being seen now in opposition to the Magdalen Road South proposals which she considered regressive and flying in the face of local opinion and the democratic process. Limiting visitor permits was anti social, particularly for the elderly who would feel even more isolated. It was also wrong to expect residents to pave over front gardens in order to provide additional parking and to promote footway parking.

Dennis Pratley considered that the proposals would destroy the character of East Oxford. There was 100% opposition from local businesses none of whom had been invited to discuss the proposals with the County Council who seemed to be sending out a message to the public to stay away. The proposals would not enrich the area and the level set for visitor permits was inadequate.

Monika Jaenicke, a resident of Howard Street was firmly opposed to the CPZ proposals. As the 2008 study had been carried out before the current economic crisis and unemployment levels it called into question the accuracy of the results. It was important to do everything possible to support the local economy. She questioned the accuracy of the measurements undertaken regarding pavement width

and the effect that might have on pedestrians and wheelchair users. To agree the proposals now with a view to reviewing in 12 months time would not help those local businesses which had, in the meantime, been forced to close. Any closures could lead to further problems if those vacant premises were then redeveloped for housing, creating even more pressure. Also limiting permits to one car per household would not work.

David Barton on behalf of the Iffley Road Residents Association spoke in favour of both schemes which would raise the quality of life for Iffley Road residents. Stanley Road was a particularly heavily congested pressure point, particularly on Fridays due to the mosque. Both schemes were urgently needed and one without the other would limit the benefits. They should be implemented immediately and not deferred.

Samantha Goethels, a resident of Bullingdon Road was not against the CPZs in principle but had concerns regarding displacement of traffic on surrounding areas and requested that her property be included in the East Oxford CPZ in order to benefit from the parking permit scheme.

City Councillor David Williams referred to the huge level of opposition to the Magdalen Road South proposals and any decision taken now should reflect that. He did not consider any proposals were necessary but if schemes were implemented in Divinity Road and Magdalen Road North then proposals for Magdalen Road South should be deferred in order to reflect local concerns and allow for the effect of proposals elsewhere to be gauged.

County Councillor John Tanner did not see this as a party political matter but one which should reflect what local people wanted and they should be listened to. He supported the proposals for Divinity Road and Magdalen Road North but, like the great majority of south residents, opposed the proposals for the Magdalen Road South area.

Responding Mr Tole accepted that some measurements had been inaccurate and that errors had been made. However, they were localised and could be dealt with as local amendments if the schemes were approved. It had been difficult to estimate costs and income as it was difficult to predict how many permits would be required. With regard to the level set for visitor permits this was a standardised scheme, which had proved successful in other areas. Business permits were only intended for those vehicles considered to be connected with the business concerned. With regard to exclusion of properties it was not uncommon to exclude multi-occupancy properties through the planning process.

Mr Rossington advised that Annex 6 included an updated Equality Impact Assessment – now termed a Service and Community Impact Assessment. A 3 metre carriageway width was not an arbitrary figure. There was no requirement on residents to pave over front gardens and it was expected that there would be adequate space for parking. He accepted that there had been economic changes since 2008 but the area appeared to be thriving and not in economic decline. However, recent development in the area meant that parking and traffic problems needed to be addressed to protect that position. In support of local businesses a number of short stay spaces had been provided. CPZs made it possible to protect

areas from the effects of future development but it was difficult to do that without them.

The Cabinet Member for Transport thanked those members of the public and local councillors for their submissions and also county officers for their work in producing a comprehensive report. Having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above he confirmed his decision as follows:

- (a) to authorise the making of the Oxfordshire County Council (Oxford Magdalen Road (North) area) (Controlled Parking Zone and Waiting Restrictions) Order 20**;
- (b) to defer the making of the Oxfordshire County Council (Oxford Magdalen Road (South) area) (Controlled Parking Zone and Waiting Restrictions) Order 20** for a period of around 6 months after the introduction of the Magdalen Road (North) and Divinity Road area CPZ schemes but soon enough so that if the scheme were to be approved it could be introduced within 2 years of the latest consultation;
- (c) to authorise the making of relevant sections of the consequential TROs being the Oxfordshire County Council (East Oxford) (Controlled Parking Zone Waiting Restrictions and Traffic Management) (Variation No 6*) Order 20**, the Oxfordshire County Council (Various Streets East Oxford) (Traffic Regulation) (Variation No.9*) Order 20**, the Oxfordshire County Council (Headington West) (Controlled Parking Zone) (Variation No. 12*) Order 20**, and the Oxfordshire County Council (Cowley Road, Oxford) (Traffic Regulation) (Variation No. 1*) Order 20** ;
- (d) to authorise the Deputy Director for Environment & Economy (Highways & Transport) to reconsult locally on amendments to the Magdalen Road North scheme, as set out in Annex 6 to the report CMDT5 ; and
- (e) to authorise the Deputy Director for Environment & Economy (Highways & Transport) in consultation with the Cabinet Member for Transport to carry out further minor amendments to the schemes and the Traffic Regulation Orders that may be required when implementing the proposed parking zones.

14/12 GARSINGTON LOWER FARM BUS STOP

(Agenda No. 6)

The Cabinet Member for Transport considered issues regarding the installation of the Lower farm bus stop on the B480 at Garsington following objections.

Roger Buswell considered that the bus stop should be relocated adjacent to the new development, which had provided S106 money for its installation. That would place it nearer to the village making it more convenient for passengers and residents and safer for other road users.

Robert Surman advised that some residents had not been consulted on the proposed siting. He considered the present location dangerous and referred to other safer and more convenient options.

Richard Surman endorsed comments regarding unsatisfactory consultation and felt that if all relevant information had been available this site would not have been chosen. It was in the wrong place for a number of reasons not least of which were convenience for users and safety.

Councillor David Turner advised that this situation had arisen as a direct result of changes made to the bus services by Thames Travel. He had been unable to attend the site visit but was aware of complaints that not all interested parties had been involved and suggested that in future and for similar proposals landowners and not just frontagers should be advised. He understood Thames Travel were unwilling to reconsider re-routing their service and in view of local concerns further consideration should be given.

Mr Taylor advised that the proposal had merely responded to a request to provide a bus stop following changes to the routing of local bus services and the Lower Farm site had been chosen on grounds of safety and public safety.

The Cabinet Member for Transport recognised that there were obvious concerns locally and having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above he confirmed his decision as follows:

To authorise the Deputy Director for Environment & Economy – Highways & Transport in consultation with the Cabinet Member for Transport and the Local Member to reconsider the establishment of bus stops in Garsington following further on site investigation and consultation.

15/12 OXFORD, FAIRFAX AVENUE/PURCELL ROAD PEDESTRIAN/CYCLE LINK
(Agenda No. 7)

The Cabinet Member for Transport considered a proposal to carry out physical works to upgrade and realign existing paths running through Marston recreation ground and south to Edgeway Road.

County Councillor Roy Darke supported the proposals which served a large part of Oxford and linked many parts of the City. It was well used and of great benefit to the locality. However, he recognised the concerns of residents in Purcell Road regarding impact of lighting and, whilst that was essential on this stretch, he felt perhaps something less intrusive could be considered to meet their concerns.

Professor Whelan supported the proposals and felt it imperative that decent lighting should be provided on the Purcell Road stretch to improve safety for users.

Michael Haines supported the call for lighting and had presented a petition to Downing Street on this issue. The path was currently unsafe for users and the surface inadequate.

Geraint Jones a resident of Purcell Road was the nearest resident to the unlit stretch. He supported proposals for resurfacing but felt that a 2.1 metre width as proposed would be inadequate for a right of way seeking classification as a bridleway and that 3 metres should be provided as a minimum. He had further concerns regarding lighting and the impact on adjacent properties.

Peter Haarer was also a resident of Purcell Road. As a cyclist he supported proposals to upgrade and improve the path. Endorsing the comments made by Geraint Jones regarding the impact of lighting on properties in Purcell Road he questioned the effectiveness of lighting on levels of safety and whether it would in fact improve things. He and other residents would prefer no lighting along this stretch, expressing concerns regarding increased levels of noise late at night and a fundamental change of character for the path.

Victoria Butterworth confirmed that no final decision had been taken regarding provision of lighting and although a number of options were still being considered it did not include installation of 5 metre columns. She accepted that 2.1 metres was not the most optimum width but it would be adequate for shared use. Lighting for the section through the recreation ground would go ahead when final approval had been given for the physical works.

Having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above the Cabinet Member for Transport confirmed his decision as follows:

- (a) that subject to authorising the Deputy Director for Environment & Economy (Highways & Transport) in consultation with the Cabinet Member for Transport to approve an appropriate lighting scheme on that length of the path between Edgeway Road and the recreation ground to authorise the physical works to upgrade and realign both parts of FP74 and the city council path as shown in Annex 2 to the report CMDT7;
- (b) to authorise officers to work with the city council to convert the city council path and the part of FP74 owned by the city council to a bridleway;
- (c) to authorise work to commence on the creation order process for the unregistered part of FP74.

16/12 RIGHTS OF WAY IMPROVEMENT PLAN EXTENSION

(Agenda No. 8)

The Cabinet Member for Transport considered options to extend the current Rights of Way Improvement Plan to 2014 and set in train work for its review.

Having regard to the arguments and options set out in the documentation before him the Cabinet Member for Transport confirmed his decision as follows:

- (a) to extend the validity date of the current Rights of Way Improvement Plan to March 2014; and

- (b) to undertake a review in the longer term with a view to submission of a new Plan by March 2014.

17/12 EXEMPT CLAUSE

(Agenda No. 9)

RESOLVED: that the public be excluded for the duration of item 10E since it was likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to that item and since it was considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information on the grounds set out in that item.

18/12 BUS SERVICE SUBSIDIES

(Agenda No. 10)

The Cabinet Member for Transport considered:

- a review of subsidised bus services in the Henley, Wallingford and Didcot areas, which, if awarded, will be effective from Sunday 3 June 2012;
- other bus subsidy contracts elsewhere in the County.

Comments made earlier in the meeting by Mr McMillan and Mr Cooper (see 11/12 above) were considered during discussion on the relevant service item.

Councillor David Turner commented on Items:

- C (Cholsey-Wallingford-Oxford) support.
- E (Wallingford-Berinsfield) request from Marsh Baldon Parish Council for the 116 service to run into Marsh Baldon itself.

Mr Wood confirmed that the main concern had been the running time. The service was currently hourly but a diversion would add significantly to that and break the schedule, which currently worked with the 106 achieving a regular Sandford service. Any detour to Marsh Baldon would remove that. He undertook to write to Marsh Baldon Parish Council to explain the situation.

- H (Wallingford market services) Chalgrove - Wallingford was a popular service which he felt could be commercial.

Mr Wood advised that this was only one element of a package some of which was viable but others were not.

With regard to Item G (Wallingford – Watlington) Mr Wood advised that Service 125 would be looking to increase service from 3 to 4 days a week.

With regard to Item L (Wallingford –Goring) Mr Wood confirmed the service served both but as a circular route. The current bid by GoRide for an hourly service with a minibus was a worthy one and he felt that South Stoke Parish Council (see comments from Mr McMillan) would support this proposal.

With regard to Item N (Wallingford-Henley) Mr Wood advised that usage of this route was not heavy but this element was important in keeping the network operational with a significant saving.

With regard to Item P (Reading-Pangbourne-Checkendon) Mr Wood advised that as the proposed closure of the tollbridge in Whitchurch had been delayed for a year it was now proposed to continue the current service for a year and hold further discussions with the operator.

Having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above the Cabinet Member for Transport confirmed his decision as follows:

- (a) to agree subsidy for the services described in the report CMDT10E on the basis of the tender prices (and the periods of time) as set out in Supplementary Exempt Annex 2 to that report;
- (b) to record that in his opinion the decisions made in (a) above were urgent in that any delay likely to be caused by the call-in process would result in service discontinuity and in accordance with the requirements of Scrutiny Procedure Rule 17(b) those decisions should not be subject to the call in process;
- (c) to thank operators for the commercial declarations made during the course of the review in respect of various contracts;
- (d) to agree subsidy for the services as set out in Exempt Annexes 3 and 4 on the basis of the tender prices set out.

..... in the Chair

Date of signing

2012